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9 Attorneys for plaintiffs

6 **IN THE UNITED STATES DISTRICT COURT**  
7 **SOUTHERN DISTRICT OF NEW YORK**

8 KINGSLEY CAPITAL MANAGEMENT,  
9 LLC, an Arizona limited liability company,  
10 and BRUCE PAINE KINGSLEY MD IRA  
11 ROLLOVER, a Qualified Individual  
12 Retirement Account,

13 plaintiffs,

14 vs.

15 THE MEMBERS OF THE BOARD OF  
16 DIRECTORS OF THE PARK AVENUE  
17 BANK OF NEW YORK AS OF 2008:  
18 DONALD G. GLASCOFF JR., CHARLES  
19 ANTONUCCI SR., BRUNO DE VINCK,  
20 FREDERICK KELLER, PATRICK R.  
21 MURPHY, ANGELLA MIRIZZI-OLSON,  
MENDEL ZILBERBERG,

defendants.

Case No. 1:12 CV 06260 TPG

**STIPULATION TO DISMISS  
WITHOUT PREJUDICE, EACH  
PARTY TO BEAR THEIR OWN  
FEES AND COSTS**

17 The parties hereby stipulate to dismiss all claims alleged in this action, without  
18 prejudice, with each party to bear their own fees and costs.

19 A proposed form of order approving the foregoing stipulation is lodged  
20 contemporaneously herewith.  
21

1 RESPECTFULLY submitted this 30<sup>th</sup> day of September, 2015.

2 **CONANT LAW FIRM, PLC**

**McCusker, Anselmi, Rosen &  
Carvelli, P.C.**

3 By: /s/ Paul A. Conant

By: /s/ Laura A. Siclari

Paul A. Conant

William P. Munday

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5 Attorneys for plaintiffs

Florham Park, New Jersey 07932

6 Attorneys for defendant Patrick R. Murphy

7  
8 **CERTIFICATE OF SERVICE**

9 I hereby certify that on September 30, 2015, I electronically transmitted the attached  
10 document to the Clerk's Office using the CM/ECF System for filing and electronic service,  
with a copy electronically delivered to Judge Thomas P. Griesa.

11 On this 30<sup>th</sup> day of September, 2015, a copy was served by electronic delivery and/or  
12 mailed through the CM/ECF System, or mailed, to:

13 William P. Munday, Esq.

Laura A. Siclari, Esq.

14 McCusker, Anselmi, Rosen & Carvelli, P.C.

210 Park Avenue, Suite 301

15 Florham Park, New Jersey 07932

Attorneys for defendant Patrick R. Murphy

16  
17 /s/ Karen Stecker